

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Holby Abern on September 10<sup>th</sup>, 2009.

The application has been amended as follows:

In the Specification:

[0001] The present application is a continuation-in-part of U.S. Application Serial No. 10/316,698 filed December 10, 2002, now U.S. Patent No. 7,001,581, which is a continuation-in-part of U.S. Application Serial No. 09/849,333, filed May 4, 2001, now U.S. Patent No. 6,533,273, which is a continuation-in-part of U.S. Application Serial No. 09/653,049, filed September 1, 2000, now U.S. Patent No. 6,612,575 which is a continuation-in-part of U.S. Application Serial No. 09/572,711, filed May 16, 2000, now U.S. Patent No. 6,612,574. The present application is also a continuation-in-part of U.S. Application Serial No. 10/636,828, filed August 6, 2003, now U.S. Patent No. 7,081,050.

In the claims:

Claim 1 (currently amended): A method of operating a gaming system, said method comprising the steps of:

- (a) accepting a wager from a player using at least one input device;
- (b) causing at least one processor to execute a plurality of instructions to presenting a play of a main game including randomly generating and causing at least one display device to display at least a first set of cards to generate a main game hand;

(c) causing the at least one processor to execute the plurality of instructions to determine ~~determining~~ an outcome of said play of the main game comprising comparing said main game hand to a set of different predetermined winning hands;

(d) if said main game hand is one of the predetermined winning hands, awarding said player a winning amount and causing the at least one processor to execute the plurality of instructions to determine ~~determining~~ if said winning hand corresponds to any corresponding one of a plurality of different predetermined bonus categories and, if so, associating a value greater than zero with the corresponding bonus category;

(e) if a bonus condition occurs, ~~after determining~~ said outcome of said play of the main game, enabling the player to make an input using the at least one input device to cause a play of a bonus event regardless of whether said main game hand is one of the predetermined winning hands, the bonus condition occurring when a designated number of values is associated with a designated number of the predetermined bonus categories, the designated number of values being at least one, and the designated number of the predetermined bonus categories being at least one;

(f) repeating (a) through (e) until receiving said input from the player to cause the play of the bonus event; and

(g) if said input from the player to cause the play of the bonus event is received, ~~thereafter receiving said input from the player to cause the play of the bonus event~~, causing the at least one display device to display the play of the bonus event, said play of said bonus event comprising causing the at least one processor to execute the plurality of instructions to randomly selecting at least one of the bonus categories after receiving said input from the player to cause the play of the bonus event, said random selection of at least one of the bonus categories being in addition to and independent of any previously displayed play of the main game, and if any value is associated with the at least one selected bonus category, awarding a bonus win according to said associated value.

Claim 11 (currently amended): A method of operating a gaming system, said method comprising:

- (a) accepting a wager from a player using at least one input device;
- (b) causing at least one processor to execute a plurality of instructions to displaying a play of a main game, said play of the main game including randomly generating and causing at least one display device to display at least a first set of cards to generate a main game hand;
- (c) causing the at least one processor to execute the plurality of instructions to determine ~~determining~~ an outcome of the play of the main game including comparing the main game hand to a set of different predetermined winning hands;
- (d) if the main game hand is one of the predetermined winning hands:
  - (i) awarding the player a winning amount, and
  - (ii) causing the at least one processor to execute the plurality of instructions to determine ~~determining~~ if the winning hand corresponds to any corresponding one of a plurality of different predetermined bonus categories and, if so, associating one of a plurality of award values greater than zero with the corresponding bonus category, wherein said bonus categories include at least one bonus category associated with an award value which represents a combination of all of the values associated with the remaining bonus categories;
- (e) if a bonus condition occurs, after determining said outcome of said play of the main game, enabling the player to make an input using the at least one input device to cause a play of a bonus event regardless of whether said main game hand is one of the predetermined winning hands, the bonus condition occurring when a designated number of award values is associated with a designated number of the predetermined bonus categories, the designated number of award values being at least one, and the designated number of the predetermined bonus categories being at least one;
- (f) repeating (a) through (e) until receiving said input from the player to cause the play of the bonus event; and

(g) if said input from the player to cause the play of the bonus event is received, ~~thereafter receiving said input from the player to cause the play of the bonus event~~, causing the at least one display device to display the play of the bonus event, the play of the bonus event including:

(i) causing the at least one processor to execute the plurality of instructions to randomly selecting at least one of the bonus categories after receiving said input from the player to cause the play of the bonus event, said random selection of at least one of the bonus categories being in addition to and independent of any previously displayed play of the main game, and

(ii) if any award value is associated with the at least one selected bonus category, awarding a bonus win according to said associated value.

Claim 21 (currently amended): A method of operating a gaming system, said method comprising the steps of:

(a) accepting a wager from a player using at least one input device;

(b) causing at least one processor to execute a plurality of instructions to presenting a play of a main game including randomly generating and causing at least one display device to display at least a first set of cards to generate a main game hand;

(c) causing the at least one processor to execute the plurality of instructions to determine determining—an outcome of said play of the main game comprising comparing said main game hand to a set of different predetermined winning hands;

(d) if said main game hand is one of the predetermined winning hands, awarding said player a winning amount and causing the at least one processor to execute the plurality of instructions to determine determining—if said winning hand corresponds to any corresponding one of a plurality of different predetermined bonus categories and, if so, associating a value greater than zero with the corresponding bonus category;

(e) if a bonus condition occurs, after determining said outcome of said play of the main game, enabling the player to make an input using the at least one input device

to cause a play of a bonus event regardless of whether said main game hand is one of the predetermined winning hands, the bonus condition occurring when a designated number of values is associated with a designated number of the predetermined bonus categories, the designated number of values being at least one, and the designated number of the predetermined bonus categories being at least one;

(f) repeating (a) through (e) until receiving said input from the player to cause the play of the bonus event or until at least one value is associated with each one of the predetermined bonus categories; and

(g) if said input from the player to cause the play of the bonus event is received or if at least one value is associated with each one of the predetermined bonus categories, ~~thereafter receiving said input from the player to cause the play of the bonus event or after at least one value is associated with each one of the predetermined bonus categories,~~ causing the at least one display device to display the play of the bonus event, said play of said bonus event comprising causing the at least one processor to execute the plurality of instructions to randomly selecting at least one of the bonus categories after receiving said input from the player to cause the play of the bonus event or after at least one value is associated with each one of the predetermined bonus categories, said random selection of at least one of the bonus categories being in addition to and independent of any previously displayed play of the main game, and if any value is associated with the at least one selected bonus category, awarding a bonus win according to said associated value.

### ***Terminal Disclaimer***

The terminal disclaimers filed on September 8<sup>th</sup>, 2009 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 7,011,581, US 6,612,575, US 6,612,574, and US 6,533,273 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Information Disclosure Statement***

The information disclosure statement entered 07 August 2009 has been considered. A copy of the cited statement including the notation indicating its respective consideration is attached for the Applicant's records.

**Reasons for Allowance**

The following is an examiner's statement of reasons for allowance:

The prior art of record when considered alone or in combination does not reasonably provide for the determination if a bonus condition occurs after the determination of the main game outcome and allowing the player to make an input to cause play of the bonus event regardless if the main game outcome is a winning game outcome and wherein further the bonus game comprises the random selection, independent of the main game selections, of at least one of a plurality of predetermined bonus categories each with an associated value and awarding a win according to the value respectively associated with the selected bonus categories. The closest art of record Baerlocher et al USP 6,726,563 does not qualify as prior art under the earliest claimed priority date of the instant application. The second closest art of record Marnell USP 5,393,057 does not teach enabling a player to elect to play a bonus game regardless of the outcome of the main game, once a bonus condition has been achieved.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT MOSSER whose telephone number is (571)272-4451. The examiner can normally be reached on 8:30-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on (571) 272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/

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Supervisory Patent Examiner, Art  
Unit 3714

/R. M./  
Examiner, Art Unit 3714